

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

Case No. 8:09-cv-910-VMC-JSS

WELLCARE HEALTH PLANS, INC.,

Defendant.

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ORDER

This matter is before the Court on consideration of United States Magistrate Judge Julie S. Sneed's Report and Recommendation (Doc. # 32), filed on November 23, 2021, recommending that Commission's Motion for an Order Approving a Distribution Plan for the Fair Fund (Doc. # 22) be granted and that the proposed Distribution Plan (Doc. # 27) be approved in its entirety. As of the date of this Order, no objections have been filed and the time for filing objections has lapsed. The Court accepts and adopts the Report and Recommendation, grants the Motion (Doc. # 22), and approves the Distribution Plan (Doc. # 27) in its entirety.

Discussion

After conducting a careful and complete review of the findings and recommendations, a district judge may accept,

reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review the factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendation. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).

After conducting a careful and complete review of the findings, conclusions and recommendations, and giving *de novo* review to matters of law, the Court accepts the factual findings and legal conclusions of the magistrate judge.


Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) The Report and Recommendation (Doc. # 32) is **ACCEPTED** and **ADOPTED**.

- (2) The United States Securities and Exchange Commission's Motion for an Order Approving a Distribution Plan for the Fair Fund (Doc. # 22) is **GRANTED**.
- (3) The Distribution Plan (Doc.# 27) is **APPROVED** in its entirety.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 21st day of December, 2021.



VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE